



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

8/B
B. Weale
11/20/03

In Re the Application of:

Gary Allen Carson

Serial No.: 10/087,389

Filed: February 27, 2002

Confirmation No.: 6276

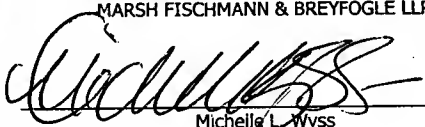
Atty. File No.: 43758-00217

For: TEMPERATURE CONTROL PADS
WITH INTEGRAL ELECTRODES

) Group Art Unit: 3762

) Examiner: Scott M. Getzow

AMENDMENT AND RESPONSE

<p>CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT this correspondence or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: August 25, 2003.</p> <p>MARSH FISCHMANN & BREYFOGLE LLP</p> <p>By:  Michelle L. Wyss</p>

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RECEIVED

SEP 03 2003

TECHNOLOGY CENTER R3700

Dear Sir:

Applicant submits this Amendment and Response to address the Office Action mailed May 23, 2003 (Paper No. 7). Enclosed is a check in the amount of \$54.00 as the fee for the additional claims presented herein. Please credit any overpayment or charge any underpayment for entry hereof to Deposit Account No. 50-1419.

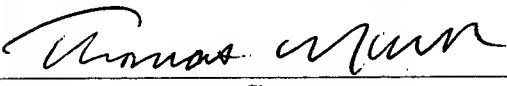
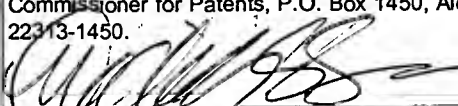
Please amend Claims 1, 19, 27 and 28, and add new Claims 35-40, as set forth below:

09/02/2003 EAREGAY1 00000143 10087389

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AMENDMENT TRANSMITTAL LETTER (Small Entity)			Docket No. 43758-00217																																					
Applicant(s): Gary Allen Carson																																								
Serial No. 10/087,389	Filing Date February 27, 2002	Examiner N/A	Group Art Unit 3762																																					
Invention: TEMPERATURE CONTROL PADS WITH INTEGRAL ELECTRODES																																								
<div style="float: left; border: 1px solid black; border-radius: 50%; padding: 10px; text-align: center; width: 150px;">O.T.P.E. AUG 28 2003 PATENT & TRADEMARK OFFICE</div> <div style="float: right; text-align: right;">RECEIVED SEP 03 2003 TECHNOLOGY CENTER R3700</div> <div style="clear: both;"></div> <p style="text-align: center;"><u>TO THE COMMISSIONER FOR PATENTS:</u></p> <p>Transmitted herewith is an amendment in the above-identified application.</p> <p><input type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.</p> <p><input type="checkbox"/> A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.</p> <p>The fee has been calculated and is transmitted as shown below.</p> <table border="1" style="width:100%"><tr><th colspan="6">CLAIMS AS AMENDED</th></tr><tr><th></th><th>CLAIMS REMAINING AFTER AMENDMENT</th><th>HIGHEST # PREV. PAID FOR</th><th>NUMBER EXTRA CLAIMS PRESENT</th><th>RATE</th><th>ADDITIONAL FEE</th></tr><tr><td>TOTAL CLAIMS</td><td>40 -</td><td>34 =</td><td>6 x</td><td>\$9.00</td><td>\$54.00</td></tr><tr><td>INDEP. CLAIMS</td><td>3 -</td><td>3 =</td><td>0 x</td><td>\$42.00</td><td>\$0.00</td></tr><tr><td colspan="5">Multiple Dependent Claims (check if applicable) <input type="checkbox"/></td><td>\$0.00</td></tr><tr><td colspan="5" style="text-align: right;">TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</td><td>\$54.00</td></tr></table> <p><input type="checkbox"/> No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____</p> <p><input checked="" type="checkbox"/> A check in the amount of \$54.00 to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1419</p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"><div style="width: 45%;"> _____ Signature Thomas R. Marsh, Esq. MARSH FISCHMANN & BREYFOGLE LLP 3151 South Vaughn Way, Suite 411 Aurora, Colorado 80014 Atty. Reg. No.: 31,039 Telephone: (303) 338-0997 Facsimile: (303) 338-1514</div><div style="width: 45%; text-align: right;"><p>Dated: August 25, 2003</p><div style="border: 1px solid black; padding: 5px; margin-top: 10px;"><p>I certify that this document and fee is being deposited on Aug. 25, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> _____ Signature of Person Mailing Correspondence Michelle L. Wyss Typed or Printed Name of Person Mailing Correspondence</div></div></div> <div style="margin-top: 10px;">cc:</div>					CLAIMS AS AMENDED							CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	TOTAL CLAIMS	40 -	34 =	6 x	\$9.00	\$54.00	INDEP. CLAIMS	3 -	3 =	0 x	\$42.00	\$0.00	Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$54.00
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